

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

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¹ In this case, diversity jurisdiction was definitely created when the insured made the election under the Texas Insurance Code. The removal from state court to this Court was in violation of the voluntary-involuntary rule.

Therefore, the relief requested in the Notice of Acceptance of Tyson Dandridge and Ken Demaster's Liability Pursuant to Chapter 542A of the Texas Insurance Code (Dkt. #11) is **GRANTED**. Defendants Tyson Dandridge and Ken Demaster are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

SIGNED this 24th day of May, 2019.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE

However, this procedural defect was waived by the failure of Plaintiff to file a motion to remand. *See Stephens v. Safe on Ins. Co. Of Indiana*, 4:18-cv-595, 2019 WL 109395 (E.D. Tex. Jan. 4, 2019)